

CITY OF BRAINERD RESOLUTION NUMBER 51:26
TOWNSHIP OF OAK LAWN RESOLUTION NUMBER AN 9-1-2026

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

IN THE MATTER OF THE JOINT RESOLUTION OF THE CITY OF BRAINERD AND
OAKLAWN TOWNSHIP DESIGNATING CERTAIN AREAS AS IN NEED OF ORDERLY
ANNEXATION PURSUANT TO MINNESOTA STATUTES § 414.0325

JOINT RESOLUTION FOR ORDERLY ANNEXATION

WHEREAS, property owner, Liberty Group of Brainerd LLC (the "Petitioner"), of certain property located within the Township of Oak Lawn (the "Township") and legally described in Exhibit A, which is attached hereto and incorporated herein by reference (the "Subject Area"), petitioned the City of Brainerd (the "City") and the Township seeking annexation of the Subject Area to the City; and

WHEREAS, the Petitioner is adjacent to the City's municipal sewer and water systems and desires to annex the Subject Area; and

WHEREAS, the Subject Area is surrounded by the City's municipal boundary; and

WHEREAS, the Township and City have agreed to work cooperatively to accomplish the orderly annexation of the Subject Area legally described in Exhibit A; and

WHEREAS, for ease of reference, the Subject Area proposed for annexation in accordance with this Joint Resolution and legally described in Exhibit A is shown on the map, which is attached hereto as Exhibit B and incorporated herein by reference; and

WHEREAS, the City and Township agree that orderly annexation of the Subject Area is in the best interest of the Petitioner and would benefit the public health, safety, and welfare of the community; and

WHEREAS, the City and Township agree that the Subject Area legally described in Exhibit A is in need of immediate orderly annexation since the Subject Area is urban or suburban or about to become so and needs City services for the current use; and

WHEREAS, the City and Township desire to accomplish the immediate annexation of the Subject Area without the need for any further hearing before the Minnesota Office of Administrative Hearings.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of Oak Lawn Township and the City Council of the City of Brainerd, as follows:

1. Designation of Orderly Annexation Area. The Township and the City hereby designate the Subject Area legally described in Exhibit A, for immediate orderly annexation pursuant to Minnesota Statutes, Section 414.0325.
2. Jurisdiction. By submission of this joint resolution to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, the Township and City confer jurisdiction upon the Chief Administrative Law Judge so as to accomplish said orderly annexation in accordance with the terms of this resolution.
3. Future Zoning Designation. The Subject Area legally described in Exhibit A shall be zoned as CN-2 (Contemporary Neighborhood 2) District.
4. Acreage of Subject Area. The Subject Area is approximately 2.29 acres.
5. Population of Subject Area. The population of the Subject Area is 0.
6. Use of Subject Area. Vacant Property
7. Map of Subject Area. A boundary map showing the Subject Area legally described in Exhibit A is attached hereto as Exhibit B and is incorporated herein by reference. The Subject Area abuts the City of Brainerd.
8. No Hearing Required/ Review and Comment Jurisdiction Only. Pursuant to Minnesota Statutes, Section 414.0325, the Township and City agree that no alteration of the boundaries stated herein is appropriate, that all conditions for annexation of the Subject Area legally described in Exhibit A are contained in this Joint Resolution, and that no consideration by the Minnesota Office of Administrative Hearings is necessary. Upon the execution and filing of this Joint Resolution, the Minnesota Office of Administrative Hearings may review and comment hereon, but shall, within 30 days of receipt of this Joint Resolution, order the annexation of the Subject Area legally described in Exhibit A in accordance with the terms and conditions contained in this Joint Resolution.
9. Tax Reimbursement. The property taxes payable on the annexed land shall continue to be paid to the affected town for the year in which the annexation becomes effective. If the annexation becomes effective on or before August 1 of a levy year, the City may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the town

may continue to levy on the annexed area for that levy year, and the City may not levy on the annexed area until the following levy year.

10. Assessments and Debt. That pursuant to Minn. Stat. § 414.036 with respect to any special assessment assigned by the Township to the annexed property and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed, but for which no special assessments are outstanding, for the area legally described in Exhibit A there are no special assessments or debt.
11. Notice of Intent Not Applicable. This Joint Resolution is not subject to the notice and publication requirements of Minnesota Statutes, Section 414.0325, subd. 1b since this Joint Resolution designates the Subject Area for immediate annexation and all of the property owners of the Subject Area have petitioned to be annexed.
12. Termination. This Joint Resolution shall remain in full force and effect until such time as the Minnesota Office of Administrative Hearings issues an order effecting the annexation of the Subject Area to the City of Brainerd and the parties hereto have fully performed their respective obligations hereunder, including tax reimbursement in accordance with Paragraph 8 of this Joint Resolution.
13. Governing Law. This Joint Resolution is made pursuant to and shall be construed in accordance with the laws of the State of Minnesota.
14. Headings and Captions. Headings and captions contained in this Joint Resolution are for convenience only and are not intended to alter any of the provisions of this Joint Resolution.
15. Entire Agreement. The terms, covenants, conditions and provisions of this Joint Resolution shall constitute the entire agreement between the parties hereto superseding all prior agreements and negotiations. This Joint Resolution shall be binding upon and inure to the benefit of the respective successors and assigns of the Township and City.
16. Legal Description and Mapping. The Township and City agree that in the event there are errors, omissions or any other problems with the legal descriptions provided in Exhibit A or mapping provided in Exhibit B, in the judgment of the Minnesota Office of Administrative Hearings, that the City and Township shall make such corrections and file any additional documentation, including a new Exhibit A or Exhibit B replacing and making the corrections requested or required by the Minnesota Office of Administrative Hearings as necessary to make effective the annexation the Subject Area in accordance with the terms of this Joint Resolution.
17. Notice. Any notices required under the provisions of this Joint Resolution shall be in writing and sufficiently given if delivered in person or sent by U.S. mail, postage prepaid, as follows:

If to the City:

If to the Township:

Nicholas Broyles
City Administrator
City of Brainerd
501 Laurel St
Brainerd, MN 56401

Deb Borg
Clerk
Town of Oak Lawn
PO BOX 333
Brainerd, MN 56401

18. Effective Date. This Joint Resolution shall be effective on the date that the last party hereto signs and dates said document.
19. Recitals. The recitals hereto are incorporated herein and made a part hereof by reference.
20. Counterparts. This Joint Resolution may be executed simultaneously in two or more counterparts that, when taken together, shall be deemed an original and constitute one and the same document. The signature of any party hereto to the counterpart shall be deemed a signature to the Joint Resolution, and may be appended to, any other counterpart. Facsimile and email transmissions of executed signature pages shall be deemed as originals and sufficient to bind the executing party.
21. Filing. The Township and City agree that upon adoption and execution of this Joint Resolution, the City shall file the same with the Minnesota Office of Administrative Hearings, Municipal Boundary Adjustments Unit and pay the required filing fee(s).

[Signature page to follow]

Adopted by the Town Board of Supervisors of Oak Lawn Township, Crow Wing County, this 1st day of September, 2026.



Chairman

ATTEST: 

DEBORAH BORG

Clerk

Adopted by the City Council of the City of Brainerd, Crow Wing County, Minnesota, this 8th day of September, 2026. Approved this 9th day of September, 2026.



MIKE O'DAY

President of the Council



DAVE BADEAUX

Mayor

ATTEST: 

NICHOLAS W. BROYLES

City Administrator

Exhibit A

That part of the Southwest Quarter of the Northwest Quarter of Section 29, Township 45 North, Range 30 West, Crow Wing County, Minnesota, described as follows, to-wit: Commencing at the West Quarter corner of said Section 29; thence East, assumed bearing 895.71 feet along the south line of said Southwest Quarter of the Northwest Quarter to the point of beginning; thence East 82.50 feet continuing along the South line of said Southwest Quarter of the Northwest Quarter; thence North 02 degrees 59 minutes West 1,304.84 feet to the North line of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 09 minutes 42 seconds West 82.57 feet along the North line of said Southwest Quarter of the Northwest Quarter; thence South 02 degrees 59 minutes East 1,306.05 feet, along the line established by judgment recorded in Book 158 of Deeds, page 270, to the point of beginning.

AND

The West Half of the East Half (W1/2 of E1/2) of the West Half of the East Half (W1/2 of E1/2) of the Southwest Quarter of the Northwest Quarter (SW1/4 of the NW 1/4) of Section 29, Township 45 North, Range 30 West, containing Two and One-half (2 1/2) acres, more or less, except W1/2E1/2W1/2E1/2 SW1/4NW1/4, Section 29, Township 45, Range 30, which lies southerly of a line run parallel with and distant 50 feet northerly of the following described line: Beginning at the center of said Section 29; thence run westerly at an angle of 87 degrees 5 minutes with the north and south quarter line of said section (measured from north to west) for 2337.7 feet and there terminating; containing 0.03 acres, more or less.



City of Brainerd Proposed Annexation

EXHIBIT B Parcel #81290532

August 2026

